



MEMORANDUM
Harvey Ruvin
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Clerk of the Board of County Commissioners
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INLUC
Agenda Item No. 6 (B)

TO: Honorable Chairperson Natacha Seijas
and members, Infrastructure and Land
Use Committee

DATE: March 8, 2005

FROM: Kay M. Sullivan, Director
Clerk of the Board

SUBJECT: Approval of Commission
Committee Minutes

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Infrastructure and Land Use Committee:

February 8, 2005

Attachment
KMS/ld



CLERK'S SUMMARY OF

Meeting Minutes

Infrastructure and Land Use Committee

Natacha Seijas (13) Chair; Jose "Pepe" Diaz (12) Vice Chair; Commissioners Dr. Barbara Carey-Shuler (3), Carlos A. Gimenez (7), Barbara J. Jordan (1), and Dorrin D. Rolle (2)

Stephen P. Clark
Government Center
111 N.W. 1st Street
Miami, FL 33128

Tuesday, February 8, 2005

9:30 AM

COMMISSION CHAMBERS

Members Present: Dr. Barbara Carey-Shuler, Jose "Pepe" Diaz, Carlos A. Gimenez, Barbara J. Jordan, Dorrin D. Rolle, Natacha Seijas.

Members Absent: None.

Members Late: None.

Members Excused: None.

1A INVOCATION

1B PLEDGE OF ALLEGIANCE

1C **ROLL CALL**

Report: *The following members of staff were present:
Deputy County Manager Pete Hernandez,
Assistant County Attorney Joni Armstrong-Coffey,
and Deputy Clerks Diane Collins and Linda
Derleth.*

MOTION TO SET THE AGENDA

*Assistant County Attorney Joni Armstrong-Coffey
read requested agenda changes into the record as
follows:*

--Additions: Agenda Items 7E and 7F

*--Deferrals: Agenda Items 3G and 3H; Agenda
Items 2D and 2E were deferred and referred to
the Community Empowerment and Economic
Revitalization Committee for the meeting of
February 8, 2005 (today).*

--Withdrawals: Agenda items 3A and 4B

--Scrivener's error in Agenda Item 2C.

*Regarding Agenda Item 2C, Ms. Armstrong-
Coffey stated the title of the County Manager's
memorandum stated conveyance of 39 residential
lots to 9 not-for-profit organizations. It should say
8 not-for-profit organizations.*

*It was moved by Commissioner Rolle that the
foregoing requested changes to the agenda be
approved. This motion was seconded by
Chairwoman Seijas, and upon being put to a vote,
passed by a vote of 6-0.*

1D **CHAIRPERSON**

1D1

050217 Report

REMARKS FROM CHAIRPERSON SEIJAS

Presented

Report: *Chairwoman Seijas expressed her appreciation to various individuals, organizations, and municipalities for their support of the Adopt-A-Tree Program.*

Chairwoman Seijas asked staff when the Northwest Dade Charrette process would begin and requested an answer at the next Committee meeting.

Chairwoman Seijas commended Mr. Charles Danger, Director, Building Department, on the operation of the Building Department. She noted at the next meeting the permitting process would be discussed.

1D2

050240 Report

ORAL PRESENTATION REGARDING THE
FOLLOWING DEPARTMENTS BUDGET:

Presented

- 1) DEPARTMENT OF ENVIRONMENTAL RESOURCES
MGT.
- 2) PUBLIC WORKS DEPARTMENT
- 3) WATER AND SEWER DEPARTMENT
- 4) DEPARTMENT OF SOLID WASTE MGT.
- 5) BUILDING DEPARTMENT
- 6) DEPARTMENT OF PLANNING AND ZONING
- 7) OFFICE OF CAPITAL IMPROVEMENTS
- 8) BUILDING CODE COMPLIANCE OFFICE
- 9) OFFICE OF WATER MANAGEMENT

Report: *Chairwoman Seijas requested department directors present their reports to the Committee and include the department's greatest concern regarding next year's budget.*

*1) DEPARTMENT OF ENVIRONMENTAL
RESOURCES MANAGEMENT (DERM)*

Mr. John Renfrow, Director, DERM, advised the Committee the Department's greatest concern for the current and next year's budget was the adequacy of revenues from fees, grants, and contracts. He noted the Department's bond rating was stable, and the capital program was on or ahead of schedule.

Mr. Renfrow stated it was difficult to recruit professional staff because salaries were not competitive with other agencies and the private sector. He indicated Mr. Don Allen, Director, Employee Relations Department was evaluating salaries. Mr. Renfrow advised the Department had met its performance goals on a continuing basis and anticipated the same for the coming year. He summarized his performance goals for next year.

2) PUBLIC WORKS DEPARTMENT (PWD)

Mr. Aristides Rivera, Director, PWD, informed the Committee the Department's greatest concerns for the current and next year's budget were the need for appropriate staff as a result of increased work associated with the People's Transportation Plan and the General Obligation Bond projects. He emphasized the importance of adequate funding for the Mosquito Control Division and the Causeways Division.

Mr. Rivera summarized the status of the

Department's various capital programs and the problems of recruiting professional staff. He indicated most of the Department's performance goals had been met as scheduled or were within acceptable limits.

3) WATER AND SEWER DEPARTMENT

Mr. William M. Brant, Director, Water and Sewer Department, informed the Committee that his Department's greatest concern regarding next year's budget was the revenue shortfall. He indicated the Department's bond rating was in jeopardy and capital projects would continue to be deferred until the Department received rate relief to support additional debt and operational expenses.

Mr. Brant stated his Department was conducting interviews for a Customer Service Division Chief and a Security Chief, and he noted four senior staff members would retire in 2005. He identified the following goals for 2005:

- hire qualified staff*
- obtain regulatory approvals*
- procure goods and services*
- increase revenues*
- obtain allocation for an adequate water supply to meet demands*

Mr. Brant summarized the Department's performance goals for next year and emphasized the importance of addressing the revenue shortfall.

4) DEPARTMENT OF SOLID WASTE MANAGEMENT

Ms. Kathleen Woods-Richardson, Director, Department of Solid Waste Management, informed the Committee the Department's greatest concern was the successful implementation of this year's budget plan, which included phase one of the automated garbage collection system. She indicated the Department's bond rating was not in jeopardy at this time and noted the Department had been able to maintain its rating upgrades established in February 2001.

Ms. Woods-Richardson stated the capital programs were not behind schedule or short of funds, and the Department was not having problems recruiting professional staff. She summarized the goals currently being met and the performance goals for next year.

5) BUILDING DEPARTMENT

Mr. Charles Danger, Director, Building Department, informed the Committee the greatest concern regarding next year's budget was the anticipated building code change, and he noted the Department had difficulty in retaining and recruiting employees in technical positions due to salary disparity with the private sector. Mr. Danger summarized the Department's current goals and performance goals for next year.

6) PLANNING AND ZONING DEPARTMENT

Ms. Diane O'Quinn Williams, Director, Planning and Zoning Department, informed the Committee the Department's primary concern was the need for five additional planner positions. She indicated the ability to hire qualified planning staff was critical, and interest in these positions had been low. Ms. O'Quinn Williams stated four senior members of the Department would retire during the year, and the Department was preparing for this with cross-training. Ms. O'Quinn Williams summarized the goals that were being met and the performance goals for next year.

7) OFFICE OF CAPITAL IMPROVEMENTS

Mr. Roger T. Hernstadt, Director, Office of Capital Improvements, indicated the Department was comprised of three units with a total of 34 employees. He noted the Department was funded from the same source as the projects for which services were rendered on behalf of the 18 departments that implement capital improvement projects.

8) BUILDING CODE COMPLIANCE OFFICE (BCCO)

Ms. Kathy Charles, Assistant to the Director, Building Code Compliance Office, stated BCCO had 74 employees. She listed the three primary funding sources as follows:

- the BCCO surcharge fee
- the product review and approval fees
- the local constructor license fees and enforcement fees

9) OFFICE OF WATER MANAGEMENT

Mr. Roman Gastesi, Director, Office of Water Management, stated the Department had two employees with the following funding sources:

- one-third from the Federal Emergency Management Administration (FEMA)
- two-thirds from the storm water utility fund

Upon conclusion of the foregoing, Chairwoman Seijas requested a written report summarizing the oral presentations made at today's meeting. She requested that such reports be submitted to all members of the Board of County Commissioners and the Commission Auditor.

Commissioner Diaz asked Mr. Aristides Rivera, Director, Public Works Department, to meet with him regarding funding sources for bridge maintenance.

Commissioner Rolle asked Mr. John Renfrow, Director, Department of Environmental Resources Management, to determine whether funding was available to clean up lakes in District 2.

Commissioner Rolle asked Assistant County Manager Aristides Rivera to assist him in identifying funding for sidewalk repair and beautification in District 2.

Commissioner Rolle asked Ms. Kathleen Woods-Richardson, Director, Department of Solid Waste Management, to develop a plan to improve the trash collection in District 2.

Commissioner Rolle asked Mr. Roger Hernstadt, Director, Office of Capital Improvements, to ensure that sidewalks were repaired in District 2.

2 DEPARTMENTS

2A

050169 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF A \$100,000 FUNDING AGREEMENT WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND AUTHORIZING THE DISBURSEMENT OF MATCHING FUNDS FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT A WETLANDS RESTORATION PROJECT AT CHAPMAN FIELD PARK IN CONNECTION WITH THE COUNTY'S ONGOING BISCAYNE BAY RESTORATION AND ENHANCEMENT PROGRAM (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Rolle

Vote: 5-0

Absent: Carey-Shuler

2B

050188 Resolution

RESOLUTION AUTHORIZING THE RELEASE OF CERTAIN PORTIONS OF AN EXISTING 20-FOOT CANAL MAINTENANCE EASEMENT ACROSS PARCELS NO. 131 AND 132 OWNED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION IN SECTION 27, TOWNSHIP 53 SOUTH, RANGE 40 EAST (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Rolle

Vote: 5-0

Absent: Carey-Shuler

2C

050173 Resolution

RESOLUTION AUTHORIZING THE CONVEYANCE OF FIVE PARCELS OF LAND TO AFFORDABLE HOUSING PROGRAM, INC., TWO PARCELS OF LAND TO ALLAPATTAH BUSINESS DEVELOPMENT AUTHORITY, INC., EIGHT PARCELS OF LAND TO THE FLORIDA CITY FOUNDATION, INC., THREE PARCELS OF LAND TO FRIENDSHIP CIRCLE OF FLORIDA, INC., FOUR PARCELS OF LAND TO HABITAT FOR HUMANITY OF GREATER MIAMI, INC., SEVEN PARCELS OF LAND TO MIAMI-DADE COMMUNITY DEVELOPMENT, INC., FIVE PARCELS OF LAND TO NER YITZCHAK OF HIGHLAND LAKES, INC., AND FIVE PARCELS OF LAND TO PEOPLE HELPING PEOPLE ACHIEVE GOALS, INC., FOR INFILL DEVELOPMENT AT A PRICE OF TEN DOLLARS (\$10.00) TO EACH ORGANIZATION, IN ACCORDANCE WITH SECTION 125.38, FLORIDA STATUTES; AND WAIVING ANY LIENS ON THE CONVEYED PROPERTIES PURSUANT TO CHAPTER 17, ARTICLE VII OF THE COUNTY CODE; AUTHORIZING THE COUNTY MANAGER TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH SAME; AND AUTHORIZING EXECUTION OF COUNTY DEEDS FOR SUCH PURPOSE (General Services Administration Department)

Forwarded to BCC with a favorable recommendation

Mover: Carey-Shuler

Seconder: Diaz

Vote: 6-0

Report: *Assistant County Attorney Joni Armstrong-Coffey stated the title of the County Manager's memorandum stated conveyance of 39 residential lots to 9 not-for-profit organizations. She indicated it should state 8 not-for-profit organizations.*

Commissioner Diaz asked that County Manager Burgess; Ms. Wendy Norris, Assistant Director, GSA; and the Director of the Miami-Dade Housing Agency meet with him to identify land for affordable housing in District 12.

2D

050290 Resolution

RESOLUTION APPROVING MIAMI-DADE HOUSING AGENCY'S (MDHA) ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP) FOR PUBLIC HOUSING AND SECTION 8 NEW CONSTRUCTION DEVELOPMENTS, AND AUTHORIZING THE DIRECTOR OF MDHA TO AMEND THE ACOP AS NEEDED TO CONFORM WITH REGULATORY AMENDMENTS OR COURT RELATED RULINGS (Miami-Dade Housing Agency)

Deferred to no date certain

Report: *The foregoing proposed resolution was deferred and referred to the Community Empowerment and Economic Revitalization Committee for consideration at its meeting today at 2 p.m.*

2E

050291 Resolution

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF VOLUNTARY COMPLIANCE AGREEMENT (VCA) BETWEEN THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND MIAMI-DADE COUNTY (COUNTY); AUTHORIZING THE COUNTY MANAGER OR DESIGNEE TO ADVERTISE A REQUEST FOR PROPOSALS FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN PROPOSALS FROM SURVEYORS TO COMPLETE A UNIFORM FEDERAL ACCESSIBILITY STANDARDS ASSESSMENT OF MIAMI-DADE HOUSING AGENCY'S PUBLIC HOUSING DEVELOPMENTS AND TO ACCOMPLISH ALL OTHER GOALS SET FORTH IN THE VCA; AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO ADVERTISE A REQUEST FOR PROPOSALS FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN PROPOSALS FROM QUALIFIED ARCHITECTS AND/OR DESIGN FIRMS AND CONTRACTORS TO ACCOMPLISH THE GOALS SET FORTH IN THE VCA; AUTHORIZING THE COUNTY MANAGER TO EXECUTE ANY NECESSARY CONTRACTS; DIRECTING AND AUTHORIZING THE BUILDING DEPARTMENT TO EXPEDITE PERMITS AND OTHER BUILDING REQUIREMENTS; WAIVING SIXTY (60)-DAY RECONSIDERATION PERIOD (Miami-Dade Housing Agency)

Deferred to no date certain

Report: *The foregoing proposed resolution was deferred and referred to the Community Empowerment and Economic Revitalization Committee for consideration at its meeting today at 2 p.m.*

2F

050179 Resolution

RESOLUTION ACCEPTING CONVEYANCES OF
VARIOUS PROPERTY INTERESTS FOR ROAD
PURPOSES TO MIAMI-DADE COUNTY, FLORIDA
(Public Works Department)

*Forwarded to BCC with a
favorable recommendation*

Mover: Diaz

Second: Rolle

Vote: 5-0

Absent: Carey-Shuler

2G

050085 Resolution

RESOLUTION ACCEPTING CONVEYANCES OF
VARIOUS PROPERTY INTERESTS FOR ROAD
PURPOSES TO MIAMI-DADE COUNTY, FLORIDA
(Public Works Department)

*Forwarded to BCC with a
favorable recommendation*

Mover: Diaz

Second: Rolle

Vote: 5-0

Absent: Carey-Shuler

2H

050185 Resolution

RESOLUTION APPROVING THE EXECUTION OF
AMENDMENT NUMBER ONE TO THE CONTRACT
BETWEEN MIAMI-DADE COUNTY AND THE CITY OF
FLORIDA CITY FOR THE PROVISION OF SEWAGE
DISPOSAL SERVICE BY THE COUNTY TO THE CITY
(Water & Sewer Department)

*Forwarded to BCC with a
favorable recommendation*

Mover: Diaz

Second: Rolle

Vote: 5-0

Absent: Carey-Shuler

3 COUNTY COMMISSION

3A

050115 Resolution

Katy Sorenson

RESOLUTION CODESIGNATING SW 112TH AVENUE
FROM SW 104TH STREET TO SW 112TH STREET AS
MATTHEW O. GRIBBLE AVENUE

Withdrawn

Report: *The foregoing proposed resolution was withdrawn
during consideration of the County Manager's
Memorandum entitled, "Requested Changes to the
Infrastructure and Land Use Committee Agenda."*

3B

050116 Resolution **Katy Sorenson**
RESOLUTION CODESIGNATING SW 92ND AVENUE
FROM SW 136TH STREET TO SW 152ND STREET AS
JULIA FEHR AVENUE

*Forwarded to BCC with a
favorable recommendation*

add vote

3C

050155 Resolution **Bruno A. Barreiro**
RESOLUTION RELATING TO EDUCATIONAL
FACILITIES IMPACT FEE; DIRECTING COUNTY
MANAGER TO TAKE STEPS NECESSARY TO
IMPLEMENT SECTION 1002.33(18)(F), FLORIDA
STATUTES, WHICH PROVIDES FOR DESIGNATION OF
EDUCATIONAL FACILITIES IMPACT FEES
GENERATED BY NEW DEVELOPMENT TO BE
UTILIZED FOR THE CREATION OF PUBLIC CHARTER
SCHOOLS TO SERVE SUCH DEVELOPMENT

Deferred to March 8, 2005

Mover: Gimenez

Seconder: Diaz

Vote: 6-0

Report: *The foregoing proposed resolution was deferred
to the next Committee meeting scheduled for
March 8, 2005.*

*Chairwoman Seijas asked that county staff confer
with school board staff regarding this proposed
resolution prior to the Committee meeting on
March 8, 2005.*

3D

050192 Resolution **Barbara J. Jordan,**
Dr. Barbara Carey-Shuler, Jose "Pepe" Diaz, Carlos A.
Gimenez, Sally A. Heyman, Joe A. Martinez, Dennis C.
Moss, Dorrin D. Rolle, Natacha Seijas
RESOLUTION DIRECTING THE COUNTY MANAGER
TO DEVELOP AND PRESENT TO THE BOARD OF
COUNTY COMMISSIONERS A PLAN FOR THE
RELOCATION, RETRAINING AND/OR
REEMPLOYMENT OF EMPLOYEES WHO MAY BE
DISPLACED BY THE ADOPTION OF AUTOMATED
GARBAGE PICKUP IN MIAMI-DADE COUNTY

*Forwarded to BCC with a
favorable recommendation*

Mover: Jordan

Seconder: Rolle

Vote: 6-0

Report: *Chairwoman Seijas and Commissioners Carey-
Shuler, Diaz, Gimenez, and Rolle requested that
they be listed as co-sponsors of the foregoing
proposed resolution.*

3E

050219 Resolution

Rebeca Sosa,

Dr. Barbara Carey-Shuler, Jose "Pepe" Diaz, Carlos A. Gimenez, Sally A. Heyman, Barbara J. Jordan, Dorrin D.

Rolle, Natacha Seijas

RESOLUTION DIRECTING COUNTY MANAGER TO DEVELOP AN ACTION PLAN FOR RECOVERY OF WATER CONNECTION FEES AND SEWER CHARGES OWED THE WATER AND SEWER DEPARTMENT BY DEVELOPERS WHICH INCLUDES A TIMELINE FOR BRINGING SUCH FEES AND CHARGES CURRENT

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Rolle

Vote: 6-0

Report: *Chairwoman Seijas and Commissioners Carey-Shuler, Diaz, Gimenez, Jordan, and Rolle requested that they be listed as co-sponsors of the foregoing proposed resolution.*

Chairwoman Seijas requested the Water and Sewer Department Director provide an update in connection with the County Manager's memorandum of January 26, 2005, on problems in the department. She asked that Mr. Brant prepare monthly status reports relating to the findings in the draft audit report on the New Business Unit of WASD, including a list of those employees who were found at fault and those companies whose checks were returned for insufficient funds, advising of those companies that had fulfilled their responsibilities to the County and that such reports be provided to the Committee members and all Commissioners, the County Manager, and the County Attorney.

Mr. William M. Brant, Director, Water and Sewer Department, referred to the draft audit report and summarized the steps he had taken to address the failure of developers to pay for various permits, noting this function had been transferred to a senior assistant director with 28 years with the Department. Mr. Brant stated he was working closely with the County Manager's Office and the Audit Department and would work closely with the Inspector General when he investigated this matter. He indicated there would be significant consequences for employees who were identified as not following procedures and collecting the appropriate fees for the County.

Mr. Brant emphasized he would collect all monies the County was owed, and one lawsuit had already been filed against a developer.

Commissioner Carey-Shuler asked that the WASD

recover the funds owed to the County as a result of the checks that were returned for insufficient funds.

In response to a question by Commissioner Rolle, Mr. Brant explained the procedures he implemented to ensure water connection fees and sewer charges were collected by the County.

Commissioner Rolle asked the County Manager's Office to institute an external annual audit process for proprietary departments in an effort to identify improper and/or fraudulent practices. He asked staff to follow the County's procedure for the debarment of any firm that was found to have violated the County Code.

3F

050092 Resolution

Sen. Javier D. Souto

RESOLUTION DIRECTING THE MANAGER TO ALLOCATE RESOURCES TO IMPROVEMENT OF AREA AFFECTED BY ROAD CONSTRUCTION

*Deferred to no date certain
Mover: Carey-Shuler
Seconder: Diaz
Vote: 6-0*

3G

043549 Resolution

Joe A. Martinez

RESOLUTION REQUIRING ALL REAL PROPERTY LOCATED WITHIN COMMUNITY DEVELOPMENT DISTRICTS ESTABLISHED IN MIAMI-DADE COUNTY FOR RESIDENTIAL HOUSING TO BE SUBJECT TO DECLARATION OF RESTRICTIVE COVENANT WITH RESPECT TO DISCLOSURE; APPROVING FORM OF DECLARATION OF RESTRICTIVE COVENANT SUBJECT TO REVIEW FROM TIME TO TIME; AND REQUIRING EACH APPLICANT TO SUBMIT SUCH DECLARATION OF RESTRICTIVE COVENANT WITH APPLICATION REQUESTING APPROVAL FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT

Deferred to no date certain

Report: *The foregoing proposed resolution was deferred during consideration of the County Manager's Memorandum entitled, "Requested Changes to the Infrastructure and Land Use Committee Agenda."*

3H

050204 Resolution**Joe A. Martinez**

RESOLUTION REQUIRING ALL REAL PROPERTY LOCATED WITHIN EDUCATIONAL FACILITIES BENEFIT DISTRICTS ESTABLISHED IN MIAMI-DADE COUNTY AND OWNED BY APPLICANT TO BE SUBJECT TO DECLARATION OF RESTRICTIVE COVENANT; APPROVING FORM OF DECLARATION OF RESTRICTIVE COVENANT SUBJECT TO REVIEW FROM TIME TO TIME; AND REQUIRING THAT EACH APPLICANT SUBMIT DECLARATION OF RESTRICTIVE COVENANT WITH APPLICATION REQUESTING APPROVAL FOR ESTABLISHMENT OF AN EDUCATIONAL FACILITIES BENEFIT DISTRICT

Deferred to no date certain

Report: *The foregoing proposed resolution was deferred during consideration of the County Manager's Memorandum entitled, "Requested Changes to the Infrastructure and Land Use Committee Agenda."*

4 COUNTY MANAGER

4A

043455 Resolution

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION, AS AUTHORIZED BY THE EXPEDITE ORDINANCE NO. 00-104, IN APPROVING ACTIVITIES LISTED ON THE ATTACHED SCHEDULE FOR CAPITAL IMPROVEMENT PROJECTS [SEE ORIGINAL ITEM UNDER FILE NO. 043242] (County Manager)

Withdrawn

Report: *See 4A Substitute, Legislative File No. 050180.*

4A SUB

050180 Resolution

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION, AS AUTHORIZED BY THE EXPEDITE ORDINANCE NO. 00-104, IN APPROVING ACTIVITIES LISTED ON THE ATTACHED SCHEDULE FOR CAPITAL IMPROVEMENT PROJECTS [SEE ORIGINAL ITEM UNDER FILE NO. 043455] (County Manager)

Forwarded to BCC with a favorable recommendation
Mover: Rolle
Seconder: Seijas
Vote: 6-0

4B

050010 Resolution

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION, AS AUTHORIZED BY THE EXPEDITE ORDINANCE NO. 00-104, IN APPROVING ACTIVITIES LISTED ON THE ATTACHED SCHEDULES FOR CAPITAL IMPROVEMENT PROJECTS (County Manager)

Withdrawn

Report: *The foregoing proposed resolution was withdrawn during consideration of the County Manager's Memorandum entitled, "Requested Changes to the Infrastructure and Land Use Committee Agenda."*

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

050295 Report

APPROVAL OF COMMISSION COMMITTEE MINUTES FOR DECEMBER 7, 2004 (Clerk of the Board)

*Report Received
Mover: Rolle
Seconder: Seijas
Vote: 6-0*

6B

050296 Report

APPROVAL OF COMMISSION COMMITTEE MINUTES FOR JANUARY 11, 2005 (Clerk of the Board)

*Report Received
Mover: Rolle
Seconder: Seijas
Vote: 6-0*

7 REPORTS

7A

050156 Report

ORAL REPORT RE: FYI 2005-06 BUDGET PRIORITIES
(County Manager)

Report Received

Report: *Ms. Jennifer Glazer-Moon, Director, Office of Strategic Business Management, indicated this report was a summary of the recommended budget priorities memorandum from County Manager Burgess that was sent to all members of the Board on January 31, 2005. She stated staff would report to the committees on a monthly basis, working closely with the Commission Auditor's Office and with the Committee chairs.*

Chairwoman Seijas requested the members of the Committee consider March 21, 22, 23, or 24, 2005 for a Committee budget workshop.

add hwy rd OBGs

7B

050178 Report

PROTECTED ROADWAYS IN SOUTH MIAMI-DADE
COUNTY

Deferred to next committee meeting

(County Manager)

Report: *The foregoing report was deferred to the next Committee meeting scheduled for March 8, 2005 at 9:30 a.m.*

7C

050187 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2005 -
REPORT RE: AGRICULTURAL PRACTICES STUDY
ADVISORY BOARD

Deferred to next committee meeting

Report: *The foregoing report was deferred to the next Committee meeting scheduled for March 8, 2005 at 9:30 a.m.*

7D

050191 Report

REPORT RE: RECOMMENDATIONS OF THE MIAMI-
DADE COUNTY FLOOD MANAGEMENT TASK FORCE
(County Manager)

Deferred to next committee meeting

Report: *The foregoing report was deferred to the next
Committee meeting scheduled for March 8, 2005
at 9:30 a.m.*

7E

050238 Report

FLORIDA CITY ANNEXATION (County Manager)

Report Received

Report: *The public hearing on the proposed Florida City Annexation was opened.*

Mr. Miguel DeGrandy, 800 Douglas Road, attorney representing Florida City, made a presentation in support of Florida City's application to annex land located in unincorporated Miami-Dade County and outside the urban development boundary (UDB). He noted what was before the Committee today was a petition for annexation, and it was not an application to move the UDB or modify the Comprehensive Development Master Plan (CDMP). Mr. DeGrandy stated whether or not the Board of County Commissioners approved this application, the Department of Environmental Resources Management would have the same regulatory authority over the subject property. He indicated if the Board approved this application for annexation, Florida City would not have the authority to move the UDB or amend the CDMP.

Mr. DeGrandy stated the power to amend the UDB was vested exclusively with the Board of County Commissioners. He indicated consistent with the Board's policy on every other annexation, the proposed interlocal agreement would provide that the County would retain control of changes in the CDMP outside the UDB, and Florida City had agreed to that. Mr. DeGrandy stated staff's comments and the recommendation on this application ignored the foregoing facts. He indicated the Planning Advisory Board's recommendation was based on a total disregard for the facts and based on incorrect statements of fact and law that were in staff's recommendations.

Mr. DeGrandy expressed his opinion that Florida City was being treated in a different and unfair manner compared to other municipalities seeking to annex land. He stated no other municipality or municipal advisory committee in the County had been required to address potential impacts of possible development within the context of an annexation or incorporation petition.

Florida City Mayor Otis T. Wallace spoke in support of Florida City's application for annexation. He stated this was only an application

for annexation; not an application to move the urban development boundary or to change the Comprehensive Development Master Plan. Mayor Wallace indicated Florida City was seeking annexation because the City of Homestead had been permitted to annex land to the south, which would prevent any potential growth for Florida City to the east. He noted the proposed City of Redland would block additional growth for Florida City.

Mayor Wallace requested that Florida City be treated the same as other cities had been treated in the past, and he expressed disappointment in County staff because of their recommendations for denial of Florida City's annexation petition.

Mr. DeGrandy stated there were over 1,500 acres of the proposed annexation area that were already under conversation easements, there were over 980 acres already permitted to be filled to County flood criteria within this area, and approximately 250 acres that were authorized and permitted for rock mining activity. He urged the Committee to recommend approval of Florida City's annexation petition.

The following persons appeared in opposition to the foregoing annexation:

1. Ms. Lana Hord, resident of Homestead
2. Mr. Patrick Pitts, biologist, U. S. Fish and Wildlife Service
3. Mr. John Erdanado, National Park Conservation Association
4. Mr. Dan Kimbell, Acting Superintendent, Everglades National Park, representing Everglades and Biscayne National Parks
5. Ms. Cynthia Garron, Executive Director, Tropical Audubon Society, the Miami-Dade County Chapter of the National Audubon Society
6. Ms. Jamie Fergang, representative of the Audubon Society of Florida, the Florida State Office of the National Audubon Society
7. Ms. Marlene Conway, Director of Planning and Environmental Resources, Monroe County, Florida
8. Mr. Gary Hunt, 3447 Sheridan Avenue, Miami Beach
9. Mr. Richard Grosso, General Counsel, Environmental and Land Use Law Center, representing the Sierra Club

There being no further speakers to appear in connection with the foregoing report, the public

hearing was closed.

In response to a question by Commissioner Carey-Shuler, Deputy County Manager Pete Hernandez, Planning and Zoning Director Diane O'Quinn Williams, and Department of Environmental Resources Management Director John Renfrow explained their reasons for recommending denial of Florida City's petition for annexation.

Commissioners Diaz and Gimenez spoke in support of deferring the foregoing report until completion of the South Dade Watershed study.

Commissioner Jordan requested the Department of Environmental Resources Management Director produce any previous requests that had been made of the department to provide more detail in its standard memorandum relating to incorporation or annexation, including addressing issues relating to development.

Commissioner Jordan expressed concern that Florida City was being treated differently from other municipalities that petitioned the County to annex land in the unincorporated municipal service area.

Commissioner Diaz requested that Deputy County Manager Hernandez prepare a report addressing the issues and concerns raised by Commissioner Jordan regarding the annexation request of Florida City.

Chairwoman Seijas stated she had been informed by the County Attorney's Office that this Committee did not have authority to defer the foregoing report for several months. She indicated the Committee could forward this report to the Board of County Commissioners without a recommendation and let the Board make a decision.

It was moved by Commissioner Rolle that the foregoing report be moved to the full Board for further discussion in the form of a proposed ordinance. This motion was seconded by Commissioner Diaz.

Commissioner Diaz asked to meet with staff from the Department of Environmental Resources Management and other departments involved regarding the proposed annexation of land into Florida City.

The Committee by motion duly made, seconded and carried forwarded the foregoing report without recommendation to the full Board of County Commissioners, and directed that an appropriate ordinance changing the boundaries of the City of Florida City be prepared for first reading.

Commissioner Seijas noted she would request that BCC Chairman Martinez waive the rules of procedure and allow the public hearing on the proposed ordinance to be held before the full Board of County Commissioners.

7F

050346 Report

REPORT RE: CONTRACT MEASURES USED ON
IMPROVEMENTS CONTRACTS (County Manager)

Deferred to next committee meeting

Report: *The foregoing report was deferred to the next Committee meeting scheduled for March 8, 2005 at 9:30 a.m.*

8 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting was adjourned at 1:35 p.m.*